

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

MICHAEL LEE HAMMOND, JR.,  
#2358499

VS.

JOEL HILL, ET AL.

§  
§  
§  
§  
§  
§

CIVIL ACTION NO. 4:21cv344

**MEMORANDUM ADOPTING REPORT AND  
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the Report and Recommendation of the United States Magistrate Judge in this action (the “Report”) (Dkt. #106), this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On May 10, 2024, the Magistrate Judge entered the Report (Dkt. #106), containing proposed findings of fact and recommendations that Defendants Sheriff Jim Skinner and Joel Hill’s Motion to Dismiss (Dkt. #81) and Defendant Thomas Schmid’s Motion to Dismiss (Dkt. #89) be granted and that Plaintiff’s claims against Defendants Sheriff Jim Skinner, Joel Hill, and Thomas Schmid be dismissed with prejudice for failure to state a claim upon which relief can be granted. The Magistrate Judge also recommended Plaintiff not be given leave to amend, and that this dismissal count as a strike pursuant to 28 U.S.C. § 1915(g). Plaintiff filed objections. (Dkt. #108).

In the objections, Plaintiff does not specifically identify any of the Magistrate Judge’s findings or conclusions as being erroneous and does not state a basis to reject the recommendation. Instead, Plaintiff reurges the issues raised in his third amended complaint. The Court has reviewed the tendered objections, and they generally add nothing new to Plaintiff’s prior contentions in this case. Despite his arguments, Plaintiff fails to show that the Report is in error or that he is entitled to relief.

The Report of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration. Having made a *de novo* review of the objections raised by Plaintiff to the Report, the Court concludes that the findings and conclusions of the Magistrate Judge are correct. Therefore, the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of the Court.

It is therefore **ORDERED** that Defendants Sheriff Jim Skinner and Joel Hill's Motion to Dismiss (Dkt. #81) and Defendant Thomas Schmid's Motion to Dismiss (Dkt. #89) are **GRANTED**. Plaintiff's claims against Defendants Sheriff Jim Skinner, Joel Hill, and Thomas Schmid are **DISMISSED WITH PREJUDICE**; this dismissal counts as a strike pursuant to 28 U.S.C. § 1915(g); and the Clerk of Court is directed to **CLOSE** this civil action. It is further **ORDERED** that all motions not previously ruled on are hereby **DENIED**.

**SIGNED this 17th day of July, 2024.**

  
AMOS L. MAZZANT  
UNITED STATES DISTRICT JUDGE